

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

	)	<b>MDL No. 2419</b>
<b>IN RE: NEW ENGLAND</b>	)	<b>No. 1:13-md-02419-RWZ</b>
<b>COMPOUNDING PHARMACY, INC.</b>	)	
<b>PRODUCTS LIABILITY LITIGATION</b>	)	<b>NOTICE OF EXTENSION OF THE</b>
	)	<b>TIME OF THE U.S. FOOD AND DRUG</b>
<b>THIS DOCUMENT RELATES TO:</b>	)	<b>ADMINISTRATION TO COMPLETE</b>
<b>ALL ACTIONS</b>	)	<b>ITS PRODUCTION OF DOCUMENTS</b>
	)	

The U.S. Food and Drug Administration (FDA) is responding to the subpoena dated March 5, 2015, from Tennessee Clinic Defendants to FDA by producing responsive, non-privileged documents contained in the documents that FDA produced to Congress in response to the 2012 outbreak of fungal meningitis. By memorandum and order dated July 31, 2015, ECF No. 2123 at 22, the Court directed FDA to complete its production of those documents by August 14, 2015. Needing additional time, FDA has asked Tennessee Clinic Defendants to agree to extend through September 4, 2015, its time to complete its production of those documents. That request has been declined. For that reason, FDA hereby gives notice pursuant to the Standing Order Governing Certain Procedural Issues dated November 4, 2014, ECF No. 1524 at 2, of the extension through August 24, 2015, of its time to complete its production of the above documents. This notice constitutes the first request for such an extension.

Respectfully Submitted,

BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General  
CARMEN M. ORTIZ  
United States Attorney  
JACQUELINE COLEMAN SNEAD  
Ass't Branch Dir., Dep't of Justice, Civ. Div.

s/ David M. Glass

DAVID M. GLASS, DC Bar 544549

Sr. Trial Counsel, Dep't of Justice, Civ. Div.

20 Massachusetts Ave., N.W., Room 7200

Washington, D.C. 20530-0001

Tel: (202) 514-4469/Fax: (202) 616-8470

Email: david.glass@usdoj.gov

Attorneys for U.S. Food and Drug Administration

Dated: August 14, 2015

### **CERTIFICATE OF SERVICE**

I hereby certify that on August 14, 2015, I served the within notice on all counsel of record by filing it with the Court by means of its ECF system.

s/ David M. Glass